

10/822,352

VMTR/03DV

Remarks

The Examiner rejected all claims on the basis of "same invention" double patenting. In response thereto, Applicant has substantially amended and broadened language of the claims such that the claims are not directed to the same invention as previously patented claims. Applicant therefore submits that the Examiner's rejection is moot.

The Examiner's formal objection to the drawings based upon claims 21-22 is also moot as claims 21-22 are now canceled.

The specification has been amended to correct the formal objections noted by the Examiner.

The Examiner's formal objection to claim 23 is moot as the claim has been canceled.

The Examiner's rejection of claims 20-22 is also moot as those claims have been canceled.

Applicant does not concede that any mooted objection is correct merely because the present amendment has avoided those rejections by changing the claimed subject matter.

Applicant in particular respectfully disagrees with the Examiner's application and interpretation of the prior art.

If any petition for extension of time is necessary to accompany this communication, please consider this paper a petition for such an extension of time, and apply the appropriate

JAN. 19. 2005 4:10PM 513 241 6234

NO. 0335 F. 14

10/822,352

VMTR/03DV

extension of time fee to Deposit Account 23-3000. If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



Thomas W. Humphrey
Reg. No. 34,353

Wood, Herron & Evans, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, OH 45202-2917

Voice: (513) 241-2324
Facsimile: (513) 241-6234

Page 11